

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DOROTHEA JOLING,

Defendant.

Case No. 6:11-cr-60131-02-AA

OPINION AND ORDER

AIKEN, Judge:

Defendant moves for release pending appeal of her conviction on federal tax offenses. Defendant claims that her appeal raises substantial questions and will result in reversal of her conviction. However, in addition to showing that the appeal raises serious questions and is not for purposes of delay, a defendant seeking release on appeal must show by clear and convincing evidence that she is not a flight risk or a danger to the community. *See* 18 U.S.C. § 3143(b)(1).

Here, defendant fails to address whether she is a flight risk. Notably, after her conviction, defendant absconded and failed to appear for sentencing; after arrest warrants were issued,


defendant and her husband were found and arrested in Arizona. Therefore, defendant fails to meet her burden to support release pending appeal.

CONCLUSION

Accordingly, defendant's Motion for Release (doc. 262) is DENIED.

IT IS SO ORDERED.

Dated this 8th day of September, 2016.



Ann Aiken
United States District Judge